

Cleveland Police and Crime Panel

A meeting of Cleveland Police and Crime Panel was held on Tuesday, 15th September, 2020.

Present: Cllr Tony Riordan (Chair), Cllr Graham Cutler (Vice-Chair), Cllr Barrie Cooper, Cllr Dorothy Davison (Sub for Mayor Andy Preston), Cllr Chris Jones, Mr Paul McGrath, Cllr Steve Nelson, Cllr Vera Rider, Mr Luigi Salvati, Cllr Norma Stephenson O.B.E Cllr Matthew Storey and Cllr John Tennant (Sub for Cllr Lee Cartwright).

Officers: Julie Butcher, Nigel Hart, Peter Bell (Stockton-on-Tees Borough Council).

Also in attendance: Simon Dennis, Lisa Oldroyd, Elise Pout (Commissioner's Office), Chief Constable Richard Lewis, Ian Cross, Will Green, Amanda Wilkinson (Cleveland Police).

Apologies: Mayor Andy Preston, Cllr Steve Walmsley, Cllr Lee Cartwright and Cllr Dave Hunter.

1 Declarations of Interest

There were no interests declared.

2 Minutes of the meeting held on 7 July 2020

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

3 Members' Questions to the Commissioner

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

4 Commissioner's Update – To Follow

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

5 Decisions of the Commissioner and Forward Plan

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

6 Commissioner's Scrutiny Programme

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

7 Public Questions

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

8 Forward Plan

In the light of the recent resignation of Barry Coppinger as Commissioner, the Panel agreed to defer all the items that were previously scheduled to be considered at this meeting.

RESOLVED that the item be deferred to a future meeting of the Panel.

9 Proposed Appointment of an Acting Police and Crime Commissioner

With the agreement of the Chair this urgent item had been included for consideration at this meeting.

The report had been submitted to the Panel following the resignation of Barry Coppinger as the Police and Crime Commissioner for Cleveland Police on Tuesday, 8 September 2020.

The report would assist the Panel to appoint an Acting Police and Crime Commissioner under section 62(1)(a) of the Police Reform and Social Responsibility Act 2011 (the Act).

The Police and Crime Commissioner, Barry Coppinger, gave notice of his resignation from office on Tuesday, 8 September 2020 with immediate effect in accordance with section 61 of the Act. The office was accordingly declared vacant.

Section 62 of the Act required the Police and Crime Panel to appoint an Acting Police and Crime Commissioner (Acting Commissioner) in such circumstances.

The Act provided that the Panel may only appoint a person to the office of Acting Commissioner if that person was a member of the Police and Crime Commissioner's staff at the time of the appointment.

Once appointed the Acting Commissioner could exercise all the functions of the Police and Crime Commissioner except the issuing or variation of the Police and Crime Plan.

The appointment of the Acting Commissioner would continue until a new Police and Crime Commissioner was elected or the appointment was terminated by the Panel or the Acting Commissioner.

Ordinarily the election of a new Police and Crime Commissioner would take place within 35 days of the declaration of the vacancy of the office however the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020 postponed all PCC elections until 6 May 2021, and by-elections to fill vacancies cannot be held before that date. The Acting Commissioner would therefore perform the role until a substantive Commissioner takes office (or earlier termination by the Panel or Acting Commissioner).

The current Assistant Chief Executive of the Office of the Police and Crime Commissioner, Lisa Oldroyd, had indicated a willingness to be considered for the role of Acting Commissioner.

The Chief Executive & Monitoring Officer Simon Dennis, and Chief Finance Officer, Michael Porter, whilst willing in principle to be considered, in practice do not propose themselves for Members' consideration. They consider that as the serving senior statutory officers, their first order of priority was to offer all support to the Acting Commissioner and to the Panel. Both Mr Dennis and Mr Porter also had existing statutory officer roles at the Office of the Police, Fire & Crime Commissioner for North Yorkshire in respect of both the PCC as local policing body and the PFCC Fire & Rescue Authority. These roles cannot appropriately be combined with the role of Acting Commissioner in Cleveland.

The Chief Executive and Chief Finance Officer, together with the remainder of the Senior Management Team of the OPCC, had expressed their absolute commitment to working as a team to achieve the stewardship of the role in the best interests of the public of the Cleveland force area and would provide their full support to the Acting Commissioner, regardless of who that may be, following appointment by the Panel.

All other Members of the Senior Management Team had similarly indicated a willingness to be considered in principle but had not proposed themselves for Members' consideration, on the basis they would work closely with the Acting Commissioner to ensure all the powers and duties of the Commissioner can be delivered to their full potential.

As a small and committed team, the Office of the Police & Crime Commissioner commit collectively to the stewardship of the role of Police & Crime Commissioner in the public interest and to the delivery of the Police & Crime Plan.

Accordingly, the OPCC Senior Management Team wish to commend Lisa Oldroyd to Members and would provide her with their full support.

Lisa Oldroyd was, therefore, respectfully proposed by the Office of the Police &

Crime Commissioner for Members' consideration, as the appropriate person to serve the public in the role Acting Police & Crime Commissioner for Cleveland.

A personal statement by Lisa Oldroyd had been circulated to the Panel for their information.

The Chief Executive & Monitoring Officer Simon Dennis spoke and commended Lisa Oldroyd as Acting Police & Crime Commissioner for Cleveland. He also outlined that if Lisa was appointed to the role, she would receive the full support of the OPCC.

Chief Constable Richard Lewis outlined that whoever the Panel chose to appoint as the Acting Police & Crime Commissioner for Cleveland they would receive the full support of Cleveland Police.

At this point the Panel agreed to debate the appointment of Lisa Oldroyd as Acting Police & Crime Commissioner, including asking questions of her in private.

RESOLVED that:-

1. The public be excluded from the meeting pursuant to section 100A(4) of the Local Government Act 1972 during the debate of the appointment of the Acting Police and Crime Commissioner due to the likelihood that if members of the public were present during that item there would be disclosure to them of exempt information and
2. The information is exempt information because it is information relating to an individual under Paragraph 1 of Part I of Schedule 12A of the LGA 1972 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

At this point members of the Panel were given the opportunity to ask detailed questions of Lisa Oldroyd.

Following the question and answer session, the Panel then requested that Lisa Oldroyd leave the meeting while they debated the appointment.

The Panel then debated the appointment. Following the debate, the Panel unanimously agreed to appoint Lisa Oldroyd as Acting Police & Crime Commissioner.

All those that had been excluded from the meeting were then invited back into the meeting to hear the decision of the Panel.

RESOLVED that Lisa Oldroyd be appointed Acting Police & Crime Commissioner for Cleveland.